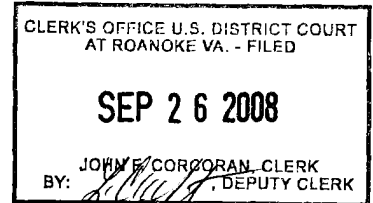


IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION



CHARLES DOUGLAS RINER,)	
Petitioner,)	Civil Action No. 7:07-cv-00455
)	
v.)	<u>FINAL ORDER</u>
)	
LISA EDWARDS, WARDEN,)	By: Hon. James C. Turk
Respondent.)	Senior United States District Judge

In accordance with the accompanying memorandum opinion, it is hereby

ADJUDGED AND ORDERED

as follows:

1. Petitioner's motion to expand the record (Dkt. 37), seeking to add to the record the exhibits he has submitted to the court, is **GRANTED**;
2. Petitioner's other pending motions regarding appointment of counsel, financial assistance, discovery, appointment of an expert, and an evidentiary hearing, as discussed in the memorandum opinion, are **DENIED**;³¹
3. Claims first raised in petitioner's response(Dkt. No. 33) to defendant's motion to dismiss are hereby **DISMISSED** as untimely amendments, pursuant to 28 U.S.C. § 2244(d)(1), as detailed in the memorandum opinion;
4. Respondent's motion to dismiss is hereby **GRANTED**; the petition for habeas corpus, pursuant to 28 U.S.C. § 2254, shall be and hereby is **DISMISSED**; and the action is hereby stricken from the active docket of the court.

The Clerk is directed to send copies of this final order and the accompanying memorandum opinion to petitioner and to counsel of record for the respondent.

ENTER: This 26th day of September, 2008.

James C. Turk

Senior United States District Judge

³¹This final order terminates the following pending motions: Dkt. Nos. 18, 19, 20, 34, 35, 36, 37, 38, and 39.